

**CITY OF LOGAN, UTAH
ORDINANCE NO. 19-16**

**AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF
LOGAN CITY, UTAH**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Official Zoning Map of Logan City, Utah" is hereby amended and the following properties in the Ellis Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Commercial (COM) to Commercial Services (CS).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2019.

AYES:
NAYS:
ABSENT:

Jeannie F. Simmonds, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2019.

Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2019.

Holly Daines, Mayor

EXHIBIT A



Parcel #05-064-0028



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 12, 2019
FROM: Aaron Smith, Planner II
SUBJECT: **Ordinance #19-16 Harris Commercial Services Rezone**

Summary of Planning Commission Proceedings

Project Name: Harris Commercial Services Rezone
Request: Official Zoning Map Amendment
Project Address: 1000 W 200 S (approx.)
Recommendation of the Planning Commission: **Approval**

On August 8, 2019, the Planning Commission recommended that the Municipal Council **approve** the Harris Commercial Services Rezone.

Planning Commissioners vote (5-0):

Motion: R. Croshaw

Second: E. Ortiz

vote recommend approval: R. Croshaw, S. Goodlander, D. Newman, T. Nielson, E. Ortiz

vote recommend denial: none

abstain: none

Attachments:

Staff Report

Ordinance #19-16

Planning Commission Meeting Draft Minutes

Project Slides



Project #19-023
Harris Commercial Service Rezone
Located at 1000 W 200 S

REPORT SUMMARY...

Project Name: Harris Commercial Service Rezone
Proponent/Owner: Matthew Harris / Eliason Packing Company
Project Address: 1000 W 200 S
Request: Rezone from COM to CS
Current Zoning: Commercial (COM)
Date of Hearing: August 8, 2019
Type of Action: Legislative
Submitted By: Aaron Smith, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of approximately 15.64 acres of property located at 1000 W 200 S (TIN#05-064-0028) from Commercial (COM) to Commercial Service (CS).

Land use adjoining the subject property

<i>North:</i>	COM – Undeveloped	<i>East:</i>	COM/CS – Commercial uses
<i>South:</i>	NR-6 – Single Family Residential	<i>West:</i>	CS – Commercial Uses

REQUEST

The proponent is requesting to rezone one (1) parcel that is approximately 15.64 acres from COM to CS. The proponent has proposed the rezone to allow for more flexibility in developing the land. The land is flat and undeveloped with wetlands located on a portion of the western half of the property. Both the 200 S and 1000 W frontages are unimproved, with soft shoulders and no sidewalk or curb. The area around the property has a variety of uses, including an electric supply company, a plumbing contractor, storage units, and single family homes across 200 S.

GENERAL PLAN

The Logan City Future Land Use Plan (FLUP) found inside the Logan City General Plan designates the site as Mixed-Use Center (MUC). The MUC land use designation is described as having high concentrations of commercial and residential uses mixed together into compact urban and walkable development patterns. When creating compact development footprints, the City of Logan can concentrate growth inwards and upwards and relieve suburban style development pressures on surrounding rural areas.

While the proposed CS zoning is not mixed use by nature, it is similar to, and compatible with, the surrounding land uses.

ZONING

COM - Current Zone

The COM zone is intended for retail, service, and hospitality businesses that serve city-wide or regional populations. Residential development is allowed in the zone; however, free standing residential buildings are not permitted.

CS – Proposed Zone

The CS zone fills a need between industrial and commercial land uses. CS areas provide alternative locations for light manufacturing, warehousing, wholesaling, or other uses that

support construction and manufacturing trades that are typically service oriented. The CS zone does not allow for residential uses.

Generally, the CS zone is less restrictive than the COM zone in regard to permitted uses, especially industrial uses. Of note is that commercial storage units, vehicle storage, automobile repair, heavy truck sales, kennels, and most industrial uses are allowed in the CS zone.

Changes in use from COM to CS are highlighted in the following table from LDC 17.11.030

Red = Change from Permitted (P) or Conditionally Permitted (C) to Not Permitted (N). These are uses that would no longer be permitted after rezone to CS

Green = Change from N to C or P; These are uses that would now be permitted or conditionally permitted after rezone to CS.

Yellow = Change from P or C to P or C. These are uses that would be permitted, though may change from permitted to conditionally permitted, or vice versa.

Land Use	Districts & Corridors	
	COM	CS
Residential Uses		
Assisted Living Center	C	N
Nursing Home, Convalescent Home	C	N
One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	N	C
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals.	P	N
Public/Institutional Uses		
Clubs, Lodges, similar uses	C	N
Day Care/Preschool (1-8 Clients) or (9-16 Clients)	P	N
Hospitals	P	N
Libraries, Museums, Community Centers	C	N
Schools, Colleges, University, Technical College	C	N
Schools, Private (K-12)	C	N
Schools, Trade, vocational, commercial	C	N
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	P	C
Commercial Uses		
Campground, RV or Tent	N	C
Entertainment Event, Minor	P	C
Recreational vehicle, vehicle storage (long term)	N	P
Sales and Service		
Animal clinic or pet hospital, with outdoor pens	N	C
Automobile Sales & Rental	C	P
Automobile Repair	N	P
Dancehall or nightclub	P	N
General Sales/Service. Firms involved in the sale, lease or rent of new or used products to the general public. These firms may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	P	C
Grocery store	P	N
Heavy truck & equipment sales, service, and rental	N	P

Land Use	Districts & Corridors	
	COM	CS
Kennel	N	C
Mobile Home & RV sales	N	C
Pet services	P	N
Sales and service, footprint greater than 100,000 sq. ft. (Big Box)	P	C
Storage, Commercial (Self Storage)	N	C
Industrial Uses		
Contractor supply store	C	P
Contractor supply store with outdoor storage	N	P
Contractors outdoor storage	N	C
Crematorium	N	P
Impound and Tow Lot	N	P
Industrial Services	N	P
Industrial Machinery and equipment sales and service	N	C
Lumberyard	N	P
Manufacturing, processing, fabrication, packaging, or assembly of goods	N	C
Manufacturing, light	C	P
Petroleum products storage	N	C
Truck Stop	N	P
Warehouse, Freight Movement	N	P
Waste Related Uses	N	C
Welding or machine shop	N	P
Wholesale Sales and Service	C	P
Wrecking or Salvage Facilities, Enclosed	N	C
Other Uses		
Agriculture	N	P

In addition to uses, some development standards would change as well. The maximum building height for the CS is 38', while COM is 40' or up to 55' with additional setbacks. Minimum building setback are similar between to the two zones. Building fenestration and open space are the same between the two zones. The CS zone does not allow for front yard parking.

Both the COM and CS zones are subject to height transitions when adjacent to single family homes. The height transition would limit building height to 35' at the front setback and allow an additional 1' in height for every 2' of additional setback. With a maximum building height of 38' in the CS, the height transition will have little effect on the property if rezoned. In addition to height transitions, commercial and industrial development across the street from a residential zone must meet increased setbacks standards that match the adjacent residential setbacks.

SUMMARY

This 15 acre site is surrounded by a variety of uses, many of which fit into the description of the CS zone. While the FLUP identifies the site, and the entire surrounding block, as MUC, it is uncertain if this site could ever be a viable mixed-use project as the site fronts a highway and there are commercial services to the east and west. Regarding single family homes to the

south, there is precedent in this area of zoning CS adjacent to single family homes at the Westfield development a block west of this location. Overall, this rezone would continue the adjacent land uses to the east and west of the project site, and neighborhood impacts from CS uses will be mitigated through Design Review and Conditional Use Permit process.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 7/27/2019, posted on the City's website and the Utah Public Meeting website on 7/26/2019, and noticed in a quarter page ad on 7/20/2019, and a Public Notice mailed to property owners within 300' we sent on 7/19/2019.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The CS zone uses and development standards are similar in nature to the COM zone
2. Neighborhood compatibility will be reviewed on a project basis through the Design Review and Conditional Use Permit processes.
3. The location is compatible with the purpose of the CS zone.
4. The subject property is in an area and surrounded by streets and infrastructure that can handle and appropriately serve Commercial Service developments.
5. The proposed CS zone is in an area with established CS uses.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

CITY OF LOGAN, UTAH
ORDINANCE NO. 19-16

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN
CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF
UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Official Zoning Map of Logan City, Utah" is hereby amended and the following properties in the Ellis Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Commercial (COM) to Commercial Services (CS).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2019.

AYES:

NAYS:

ABSENT:

Jeannie F. Simmonds, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2019.

Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2019.

Holly Daines, Mayor



PLANNING COMMISSION MINUTES

Meeting of August 8, 2019

Logan City Council Chambers (290 North 100 West Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, August 8, 2019. Chairman Nielson called the meeting to order at 5:30 p.m.

Commissioners Present: Roylan Croshaw, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz

Commissioners Absent: Regina Dickinson, Jessica Lucero

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Paul Taylor, Bill Young, Jeannie Simmonds (Council liaison)

Minutes from the July 11, 2019 meeting were reviewed. Commissioner Ortiz moved to approve the minutes as submitted. Motion seconded by Commissioner Croshaw. Approved unanimously.

PC 19-023 Harris Commercial Service Development [Zone Change] Matthew F. Harris/ Eliason Packing Company, authorized agent/owner, request a rezone of 15.64 acres from Commercial (COM) to Commercial Services (CS) to allow for more flexibility in developing the land located at 200 South 1000 West; TIN 05-064-0028.

STAFF: Mr. Smith reviewed the request to rezone a ~15.64-acre parcel from Commercial (COM) to Commercial Service (CS). The proponent proposes the rezone to allow for more flexibility in developing the land. The land is undeveloped with wetlands located on a portion of the western half of the property. Both the 200 South and 1000 West frontages are unimproved, with soft shoulders and no sidewalk or curb. The area around the property has a variety of uses, including an electric supply company, a plumbing contractor, storage units, and single-family homes across 200 South.

The current COM zone is intended for retail, service, and hospitality businesses that serve city-wide or regional populations. Residential development is allowed in the zone; however, free standing residential buildings are not permitted.

The proposed CS zone fills a need between industrial and commercial land uses. CS areas provide alternative locations for light manufacturing, warehousing, wholesaling, or other uses that support construction and manufacturing trades that are typically service oriented. The CS zone does not allow for residential uses.

Generally, the CS zone is less restrictive than the COM zone regarding permitted uses, especially industrial uses. Of note is that commercial storage units, vehicle storage, automobile repair, heavy truck sales, kennels, and most industrial uses are allowed in the CS zone.

Changes in use from COM to CS are highlighted in the following table from LDC 17.11.030:

Red = Change from Permitted (P) or Conditionally Permitted (C) to Not Permitted (N). These are uses that would no longer be permitted after rezone to CS

Green = Change from N to C or P; These are uses that would now be permitted or conditionally permitted after rezone to CS.

Yellow = Change from P or C to P or C. These are uses that would be permitted, though may change from permitted to conditionally permitted, or vice versa.

Land Use	Districts & Corridors	
	COM	CS
Residential Uses		
Assisted Living Center	C	N
Nursing Home, Convalescent Home	C	N
One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	N	C
Residential occupancy of a dwelling unit by a family, or no more than three (3) unrelated individuals.	P	N
Public/Institutional Uses		
Clubs, Lodges, similar uses	C	N
Day Care/Preschool (1-8 Clients) or (9-16 Clients)	P	N
Hospitals	P	N
Libraries, Museums, Community Centers	C	N
Schools, Colleges, University, Technical College	C	N
Schools, Private (K-12)	C	N
Schools, Trade, vocational, commercial	C	N
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	P	C
Commercial Uses		
Campground, RV or Tent	N	C
Entertainment Event, Minor	P	C
Recreational vehicle, vehicle storage (long term)	N	P
Sales and Service		
Animal clinic or pet hospital, with outdoor pens	N	C
Automobile Sales & Rental	C	P
Automobile Repair	N	P
Dance hall or nightclub	P	N
General Sales/Service. Firms involved in the sale, lease or rent of new or used products to the public. These firms may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	P	C
Grocery store	P	N
Heavy truck & equipment sales, service, and rental	N	P
Kennel	N	C
Mobile Home & RV sales	N	C
Pet services	P	N
Sales and service, footprint greater than 100,000 sq. ft. (Big Box)	P	C

Land Use	Districts & Corridors	
	COM	CS
Storage, Commercial (Self Storage)	N	C
Industrial Uses		
Contractor supply store	C	P
Contractor supply store with outdoor storage	N	P
Contractors outdoor storage	N	C
Crematorium	N	P
Impound and Tow Lot	N	P
Industrial Services	N	P
Industrial Machinery and equipment sales and service	N	C
Lumberyard	N	P
Manufacturing, processing, fabrication, packaging, or assembly of goods	N	C
Manufacturing, light	C	P
Petroleum products storage	N	C
Truck Stop	N	P
Warehouse, Freight Movement	N	P
Waste Related Uses	N	C
Welding or machine shop	N	P
Wholesale Sales and Service	C	P
Wrecking or Salvage Facilities, Enclosed	N	C
Other Uses		
Agriculture	N	P

In addition to uses, some development standards would change as well. The maximum building height for the CS is 38', while COM is 40', or up to 55' with additional setbacks. Minimum building setbacks are similar between to the two zones. Building fenestration and open space are the same between the two zones. The CS zone does not allow for front yard parking.

Both zones are subject to height transitions when adjacent to single-family homes. The height transition would limit building height to 35' at the front setback and allow an additional 1' in height for every 2' of additional setback. With a maximum building height of 38' in the CS, the height transition will have little effect on the property if rezoned. In addition to height transitions, commercial and industrial development across the street from a residential zone must meet increased setback standards that match the adjacent residential setbacks.

This site is surrounded by a variety of uses, many of which fit into the description of the CS zone. While the Future Land Use Plan (FLUP) identifies the site and surrounding block as Mixed-Use (MU), it is uncertain if this site could ever be a viable mixed-use project because it fronts a highway and there are commercial services to the east and west. Overall, this rezone would continue the adjacent land uses to the east and west of the project site, and neighborhood impacts from CS uses will be mitigated through Design Review and Conditional Use Permit process.

PROPONENT: Matt Harris said he wants to make sure the zone can be changed before he purchases the property. He believes the CS zone will allow him to develop a successful project.

Commissioner Ortiz asked if Mr. Harris had a specific project in mind. Mr. Harris is still consulting on the best use, this may be a good area to lease to developing businesses and have warehouse/storage uses. The flexibility of the CS zones allows for excellent uses for this property.

PUBLIC: None

COMMISSION: None

MOTION: Commissioner Croshaw moved to **forward a recommendation for approval** to the Municipal Council for the proposed zone change as outlined in PC 19-023 based on the findings for approval as listed below. Commissioner Ortiz seconded the motion.

FINDINGS FOR APPROVAL

1. The CS zone uses and development standards are similar in nature to the COM zone.
2. Neighborhood compatibility will be reviewed on a project basis through the Design Review and Conditional Use Permit processes.
3. The location is compatible with the purpose of the CS zone.
4. The property is in an area surrounded by streets and infrastructure that can handle and appropriately serve Commercial Service developments.
5. The proposed CS zone is in an area with established CS uses.

Moved: R. Croshaw **Seconded:** E. Ortiz **Approved:** 5-0

Yea: Croshaw, Goodlander, Newman, Nielson, Ortiz **Nay:** **Abstain:**

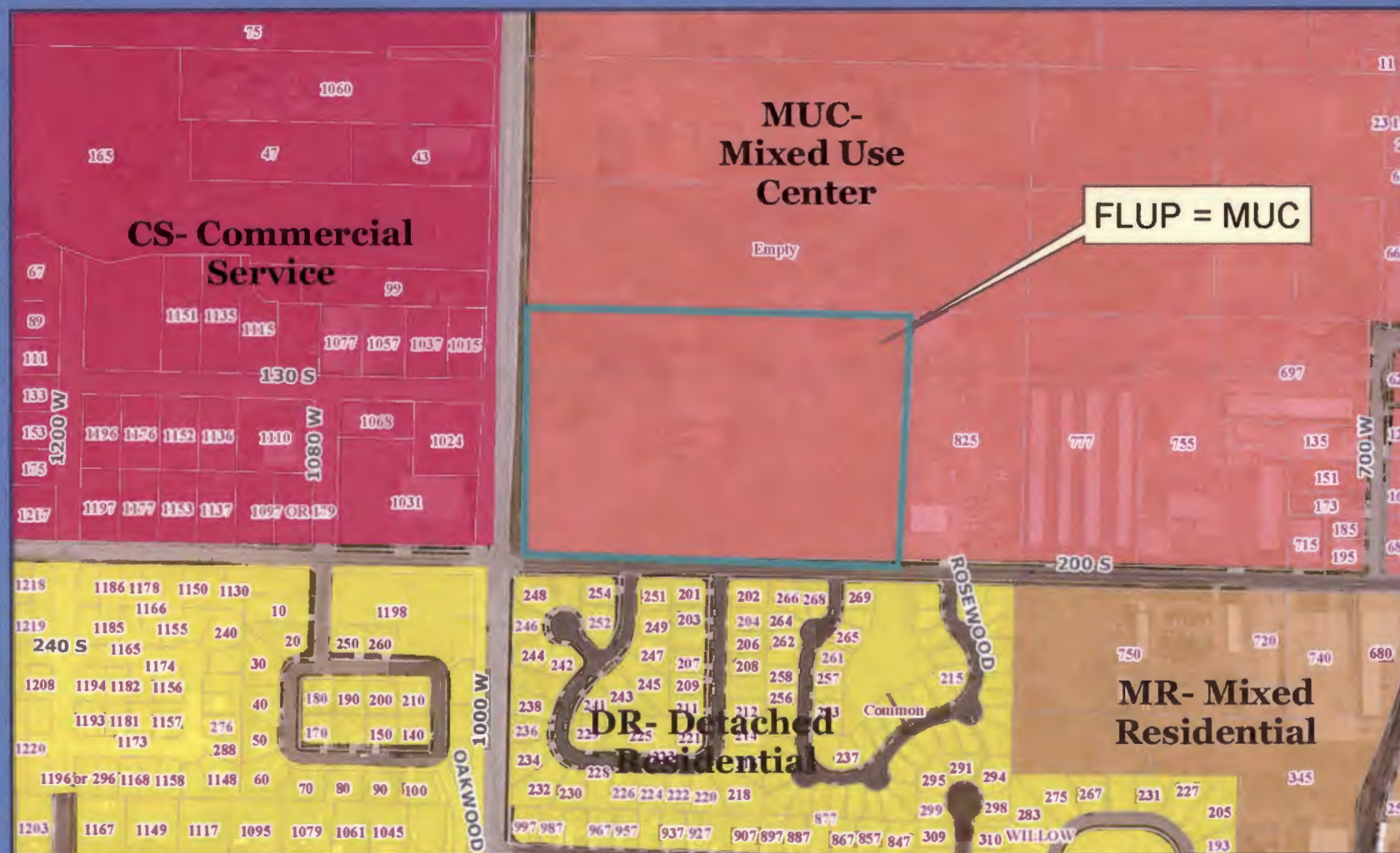
PC #19-023

Harris Commercial Service

Rezone

Harris Commercial Service Rezone

200 S 1000 W



Planning Commission

FLUP

August 8, 2019



